

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA

BILLY LEE BACON,	:	
	:	
Petitioner	:	
	:	CIVIL ACTION NO. 3:18-0059
v.	:	
	:	(Judge Mannion)
JOHN SOMMERS,	:	
	:	
Respondent	:	

**ORDER**

For the reasons set forth in the Memorandum of this date, **IT IS**  
**HEREBY ORDERED THAT:**

1. Respondent's motion to dismiss (Doc. [22](#)) is **GRANTED**.
2. The petition for writ of habeas corpus, (Doc. [1](#)) is **DISMISSED** without prejudice as premature.
3. The Clerk of Court shall **CLOSE** this case.
4. There is no probable cause to issue a certificate of appealability.

*s/ Malachy E. Mannion*  
**MALACHY E. MANNION**  
United States District Judge

**Dated: March 18, 2019**

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